

# EXHIBIT A

**Lesovitz, Jeffrey**

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**From:** Lesovitz, Jeffrey  
**Sent:** Thursday, September 17, 2020 1:27 PM  
**To:** 'Justin.Gillett'  
**Cc:** jying@mnat.com; Carson, Charles C.; Guest-TekDE; Nomadix.Guest-Tek; Dorsney, Kenneth L.; @IP Para  
**Subject:** RE: Guest Tek v. Nomadix (Delaware) - 30(b)(6) depositions

Justin,

2:00pm Eastern tomorrow works for us as well. We will send dial-in information shortly. As to whether the deposition will take place on September 20, as we stated before, if the specific date is the issue, we are willing to accommodate Nomadix with another date that same week. However, based on your emails, Guest Tek's understanding is that Nomadix refuses to designate a witness for that date (or for any other date between September 20-25) for the limited topics in Guest Tek's first 30(b)(6) notice. Assuming that is accurate, then Guest Tek agrees that the deposition will not take place on the noticed date.

Regards,  
Jeff

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**From:** Justin.Gillett <Justin.Gillett@knobbe.com>  
**Sent:** Thursday, September 17, 2020 1:09 PM  
**To:** Lesovitz, Jeffrey <JLesovitz@bakerlaw.com>  
**Cc:** jying@mnat.com; Carson, Charles C. <ccarson@bakerlaw.com>; Guest-TekDE <Guest-TekDE@bakerlaw.com>; Nomadix.Guest-Tek <Nomadix.Guest-Tek@knobbe.com>; Dorsney, Kenneth L. <KDorsney@morrisjames.com>; @IP Para <MJIPPara@morrisjames.com>  
**Subject:** RE: Guest Tek v. Nomadix (Delaware) - 30(b)(6) depositions

Jeff,

We are available to confer tomorrow at 2:00 Eastern. The parties disagree on whether Guest Tek is entitled to take a Rule 30(b)(6) deposition based on its current notice when Guest Tek intends to serve additional 30(b)(6) notices after that deposition. But we assume the parties agree that, if any such deposition does eventually go forward, it will not take place on the noticed date of this Sunday, September 20. If Guest Tek disagrees, please let us know this afternoon.

Best regards,  
Justin

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**From:** Lesovitz, Jeffrey <[JLesovitz@bakerlaw.com](mailto:JLesovitz@bakerlaw.com)>  
**Sent:** Wednesday, September 16, 2020 7:48 PM  
**To:** Justin.Gillett <[Justin.Gillett@knobbe.com](mailto:Justin.Gillett@knobbe.com)>  
**Cc:** [jying@mnat.com](mailto:jying@mnat.com); Carson, Charles C. <[ccarson@bakerlaw.com](mailto:ccarson@bakerlaw.com)>; Guest-TekDE <[Guest-TekDE@bakerlaw.com](mailto:Guest-TekDE@bakerlaw.com)>; Nomadix.Guest-Tek <[Nomadix.Guest-Tek@knobbe.com](mailto:Nomadix.Guest-Tek@knobbe.com)>; Dorsney, Kenneth L. <[KDorsney@morrisjames.com](mailto:KDorsney@morrisjames.com)>; @IP Para <[MJIPPara@morrisjames.com](mailto:MJIPPara@morrisjames.com)>  
**Subject:** Re: Guest Tek v. Nomadix (Delaware) - 30(b)(6) depositions

Justin,

Guest Tek intends to proceed with a limited deposition based on its first 30(b)(6) notice. and intends to take that

deposition “promptly,” as instructed by the Court. As discussed during the September 3 hearing, a purpose of that deposition is to confirm what, if any, additional financial records exist and can be accessed that Nomadix has failed to produce. Because fact discovery is still underway and does not end until mid-November, however, Guest Tek intends to serve a separate 30(b)(6) notice on other topics. Guest Tek intends to use Nomadix’s testimony under the first 30(b)(6) notice to identify, and narrow the number and scope of, those additional topics.

We believe that this order of 30(b)(6) notices is consistent with and was contemplated by the Court’s instructions during the September 3 hearing. It appears from your email that Nomadix disagrees. If that is the case, we would like to immediately seek clarification from the Court. Please let us know your availability for a meet and confer either tomorrow or on Friday. We are generally available after 2pm Eastern on either day.

Thanks,  
Jeff

On Sep 16, 2020, at 6:55 PM, Justin.Gillett <[Justin.Gillett@knobbe.com](mailto:Justin.Gillett@knobbe.com)> wrote:

Jeff,

Correct, Nomadix is not available for a deposition this Sunday, September 20. Please confirm that Guest Tek does not intend to proceed with a deposition on that day.

Please also confirm whether Guest Tek intends to notice additional topics for the deposition of Nomadix. Nomadix disagrees with Guest Tek’s characterization of the September 3rd discovery conference. Even under that characterization, Guest Tek has not been granted leave to take multiple depositions of Nomadix. Nomadix will not designate witnesses to testify on its behalf until Guest Tek confirms it has provided its full list of topics.

Best regards,  
Justin

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**From:** Lesovitz, Jeffrey <[JLesovitz@bakerlaw.com](mailto:JLesovitz@bakerlaw.com)>  
**Sent:** Tuesday, September 15, 2020 8:35 AM  
**To:** Justin.Gillett <[Justin.Gillett@knobbe.com](mailto:Justin.Gillett@knobbe.com)>; [jying@mnat.com](mailto:jying@mnat.com); Carson, Charles C. <[ccarson@bakerlaw.com](mailto:ccarson@bakerlaw.com)>  
**Cc:** Guest-TekDE <[Guest-TekDE@bakerlaw.com](mailto:Guest-TekDE@bakerlaw.com)>; Nomadix.Guest-Tek <[Nomadix.Guest-Tek@knobbe.com](mailto:Nomadix.Guest-Tek@knobbe.com)>; Dorsney, Kenneth L. <[KDorsney@morrisjames.com](mailto:KDorsney@morrisjames.com)>; @IP Para <[MJIPPara@morrisjames.com](mailto:MJIPPara@morrisjames.com)>  
**Subject:** RE: Guest Tek v. Nomadix (Delaware) - 30(b)(6) depositions

Justin,

As to Guest Tek’s first 30(b)(6) notice to Nomadix, the notice is limited to deposition on Nomadix’s financial information that the Court instructed Guest Tek to “promptly” take during the September 3<sup>rd</sup> discovery conference. Guest Tek is complying with that Court order by noticing that limited deposition. Therefore, Guest Tek will not be updating the notice to include other topics as those other topics will be noticed separately, and consistent with the Court’s instruction, it would like to schedule this limited deposition as soon as possible. If September 20 does not work for Nomadix, please provide another date during that week that does. Please also let us know, by tomorrow, what date works for Nomadix so that we can plan accordingly.

Regards,  
Jeff

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**From:** Justin Gillett <[Justin.Gillett@knobbe.com](mailto:Justin.Gillett@knobbe.com)>  
**Sent:** Tuesday, September 15, 2020 1:23 AM  
**To:** [jying@mnat.com](mailto:jying@mnat.com); Carson, Charles C. <[ccarson@bakerlaw.com](mailto:ccarson@bakerlaw.com)>  
**Cc:** Guest-TekDE <[Guest-TekDE@bakerlaw.com](mailto:Guest-TekDE@bakerlaw.com)>; Nomadix.Guest-Tek <[Nomadix.Guest-Tek@knobbe.com](mailto:Nomadix.Guest-Tek@knobbe.com)>; Dorsney, Kenneth L. <[KDorsney@morrisjames.com](mailto:KDorsney@morrisjames.com)>; @IP Para <[MJIIPPara@morrisjames.com](mailto:MJIIPPara@morrisjames.com)>  
**Subject:** Guest Tek v. Nomadix (Delaware) - 30(b)(6) depositions

[External Email: Use caution when clicking on links or opening attachments.]

Counsel,

I write regarding the parties' 30(b)(6) depositions. Guest Tek's September 9 notice of deposition of Nomadix proposes that the deposition take place on Sunday, September 20. That date does not work for Nomadix but we are happy to discuss a different date. We note, however, that Guest Tek's notice is captioned as its "first" notice and contains only five topics; this suggests that Guest Tek plans to serve an additional notice with additional topics. Please update the notice to include all topics, so that Nomadix can identify an appropriate designee or designees for all topics. Once we have the complete set of topics, we can discuss dates for the deposition.

In view of the Court extending the discovery period, Nomadix will postpone its 30(b)(6) deposition of Guest Tek until October. Please identify Guest Tek's designees and provide their availability in October.

Best regards,  
Justin

**Justin Gillett**  
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